

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, OCTOBER 7, 2008, 7:00 PM

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer McKenzie, Reed, Frautschi
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), City Attorney Zafferano (CA), Recording Secretary Flores (RS), Senior Civil Engineer Yau (SCE)

2. AGENDA AMENDMENTS – None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of September 2, 2008

MOTION: By Commissioner Mercer, seconded by Commissioner Frautschi, to accept the Minutes of September 2, 2008, as presented.

Ayes: Mercer, Frautschi, Mayer, McKenzie, Reed, Parsons
Noes: None
Abstain: Horton

Motion passed 6/0/1

5. PUBLIC HEARINGS

5A. PUBLIC HEARING – 2007 Bishop Road

To consider a Single Family Design Review to construct a new 4,490 square-foot single-family residence on a vacant 86,254 sq. ft. lot that is below the maximum permitted 4,500 square feet for the site.

(APPL. NO. PA 2008-0075)

APN: 043-010-240; Zoned HRO-1

CEQA Status: Categorical Exemption per Section 15303, Class 3

APPLICANT: Richard Tapp

OWNER: Rancho Belmont, LLC

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato noted that there are two items to be reviewed: One is the single-family design review as noted in the agenda and the other is a more informal sidewalk review requesting that the Commission recommend to City Council whether an exemption should be permitted that there be no sidewalk installed along three lots of the subdivision on Bishop Road. He summarized the Staff Report and also referred to comments from Commissioner Mercer received that day indicating that she did not think that the color chosen for the walls of the structure would blend into the hillside and that the entire structure is not screened by trees from all vantage points. Pictures provided and narrated by Commissioner Mercer were reviewed. Staff recommended that revised color and landscape plans be returned to the Planning Commission for review at a later date.

Comments received from neighbors on Skymont Drive regarding drainage issues were provided. SP DiDonato added that staff had explained to the neighbors that concentrated drainage is controlled from one property to another and the applicant's civil engineer addressed the questions and the Public Works Department was satisfied with the answers. The applicant's drainage plan will be reviewed by Public Works when it is submitted and also by the City's and applicant's geotechnical engineers to insure that there will not be drainage impacts on the adjacent properties.

Another neighbor's letter concerning debris from the landscape areas had been placed on the dais. The applicant has addressed that issue and talked to that neighbor and it seems that he is satisfied with the response. Landscaping will be irrigated and will be maintained.

Staff recommended approval of the project with the recommendation that the final Landscape Plan return with lines of sight of various public vantage points.

Regarding the sidewalk issue, SP DiDonato showed photos of Bishop Road, noting that the applicant had requested that they be exempted from the sidewalk requirements, indicating that they have a cross slope on their section of the road which is greater than 20%. Public Works differed with that conclusion so the applicant requested that City Council be asked review that question after receiving a recommendation from the Commission.

Commissioner Mayer asked if a possible alternative could be to require the owner to repair and bring up to grade the sidewalk on the other side of the street instead of building a new sidewalk. CA Zafferano responded that the finding the Commission would have to make is that there is a nexus between the sidewalk that is not adjacent to the property and the proposed development.

As an aside, Commissioner Mayer commented that, prior to review of projects at future Commission meetings, Commissioners could have access to large vacant lots that are gated and chained off.

Commissioner Mercer asked for clarification of the mitigation requirements for nesting birds as referred to on page 13 in the Environmental clearance. SP DiDonato responded that it would be up to the Biologist to recommend what construction activity would be appropriate to keep nesting birds, if any, in the nest.

SCE Yau of the Public Works Department, stated the City Ordinance requires a sidewalk on both sides of the street in the San Juan area if the cross slope of the street is less than 20%, and that after looking at the subdivision maps of the original development it was determined that it was originally less than 20%. Staff also noted that 90% of the properties in the surrounding area in the subdivision already have sidewalks. In addition, the San Juan Area Plan requires the sidewalks, which is why staff has made the determination that sidewalks should be installed in this area. He added, however, that the applicant pointed out that without the sidewalk there will be less grading and loss of landscaping that provides screening of existing properties. The City Ordinance does not allow staff to make any variance or exemption based on those benefits; it has to come from the Council, which is why staff is requesting a recommendation from the Planning Commission. Responding to Commissioner Mercer's questions, SCE Yau indicated that, including a possible erosion problem, 400 cubic yards of additional grading and a 3- to 4-foot retaining wall would be required if the sidewalk were to be installed.

Commissioner Reed asked if the foot traffic warrants a sidewalk on both sides of the street. SCE Yau responded that is not a busy pedestrian area; it is at the end of the subdivision and only residents of that area and people going to the Sugar Loaf area would be using the sidewalk.

Richard Tapp, applicant and architect, addressed the Commission, making the following key points:

- The property owner regretted that she could not be at the meeting but had authorized him to speak on her behalf.
- Nesting raptors are the only birds at issue, and they mate and nest in early spring and should not be a problem during summer and fall.
- The owner will be living in the house under discussion on Lot #3 and hoped that her brother and possibly a niece would eventually build on the other two lots.
- He believed that if they do not have to denude the front slope to build a sidewalk, the neighbors on Bishop Road will not even see the house, and that the additional trees proposed in the Landscape Plan will mitigate the views from Sugar Loaf.
- No Variances are requested for location, setback, size or height.

- He passed around a photograph of a Mediterranean-style house that the owner would like to replicate and mentioned that changing the roof tile color would not be a problem.
- He described his efforts at neighborhood outreach.

Virgil Galura, with MacCloud and Associates, discussed the grading plan, noting that there will be 845 cu.ft. of cut which will all be distributed on the site. Discussion ensued regarding its placement; from 6" to 1' will be outside of the gravel path at a location specified on the drawings.

Bruce McDonald, landscape architect, stated that he will be returning with a revised Landscape Plan as stipulated in the Conditions of Approval, primarily addressing preservation of existing trees and adding additional screening in the northwest slope utilizing primarily native vegetation and Coast Live Oak.

Discussion ensued regarding the need for a second sidewalk.

Chair Parsons asked Mr. McDonald how he would deal with the sluffage that currently appears on the road. Mr. McDonald responded that he would apply an erosion control net and then interplant with native species and ground cover to provide 100% coverage in that area. He said that there is no landslide or slippage; it's just surface material. If they have to change it they will try to minimize the slope and apply native vegetation.

Responding to questions from Commissioners Frautschi and McKenzie, Mr. Tapp explained how they would treat the area if Council requires the sidewalk, and Mr. Galura stated that an additional 550 cubic yards of grading would be required which would have to be hauled away. It would affect a lot of trees, a hydrant would have to be relocated and a retaining wall would have to be pushed back. If the sidewalk is not required they do not envision any new retaining walls.

Chair Parsons opened the Public Hearing.

Resident Andrew Williams stated that he saw the proposed project as a "blessing" and an improvement for the neighborhood and the City. He noted that Marsten is only 18' wide and putting 25' back to build a wall for the last house did not make sense. He believed that the hill is fairly stable and a buffer, and trees is all the neighbors ask for; he suggested that if they leave the walls alone everybody would be satisfied.

MOTION: By Commissioner Frautschi, seconded by Commission McKenzie, to close the Public Hearing. Motion passed 7/0 by a show of hands.

Commissioners commented as follows:

Commissioner Reed:

- Concern is for the view of the knoll from all around.
- Beautiful house but would shy way from the mustard color.
- People who hike up Sugar Loaf are surrounded on all sides by homes; it is not a pristine wilderness environment, but a small hill in a suburban area.

Commissioner McKenzie:

- Concurred with Mr. Williams' comments that the project would be an asset to the neighborhood and the City of Belmont.
- Very tastefully done and well chosen for the hillside
- Not feasible to make the house invisible on the knoll and that should not be expected to happen. A home belongs there and it will benefit everyone.

Vice Chair Horton:

- Agreed that it is a very well designed home and Landscape Plan.
- By putting the house on top of the hill they don't have to cut and fill and it is a stable location.
- The house is very well sited on a large lot and an improvement of an institutional use.
- Color will look lighter on the house and is the right color for a Mediterranean house.
- The back side of the house as viewed from DeAnza in San Mateo will be attractive.
- Believed that a few more trees wouldn't hurt but she did not think the Commission should be requiring

people to lose their view or to completely cloak their houses.

Commissioner Mayer:

- Did not disagree with any previous comments.
- Compared to what was there before this is a huge plus and benefit to Belmont.
- Thanked the owner for taking it seriously and exercising a great deal of care and attention to detail in making this a really outstanding development.
- Struck by the fact that the previous building was substantially the same bulk as what's going to be put there and it was not terribly visible from other areas. Does not see a visual impact, but if there is, this is a well-designed house on all sides and he saw no reason to change or modify the project.

Commissioner Frautschi:

- Asked that page 9 of the staff report be corrected to show "Belmont-San Carlos Fire Department," page 10 under the San Juan Hills Plan Area Policy 1 be changed from "Hap" to "Map" and that the spelling of Bishop Road in the Resolution title be corrected.
- A well thought-out design and a Landscape Plan that enhances the design and the setting. Liked the semicircular approach of the footprint and the fact that only 820 square feet are on the second story. That and the landscape will minimize the view from the knoll.
- Liked the stone/stucco base combination, especially since it is a fire prone area, the details, the use of native plants and 57 trees, the balanced cut and fill so that there is no haul away and the 9.64 hardscape ratio.
- Concurred with the additional geological recommendations in the report and as conformance with the General Plan.
- It will be an added benefit to the neighborhood.

Commissioner Mercer:

- Agreed that if the proposed home is beautiful, a tremendous improvement to the neighborhood, that the footprint is charming and liked that they kept the grading to a minimum and will keep the fill on site.
- Regarding Finding A, she had difficulty claiming that the house is appropriate for the location. She believed that the site is not the Riviera but California Oak woodland and that surrounding properties are much more of a California ranch or craftsman style. She thought it could be made to fit if the colors were very, very toned down, suggesting wheat and brown as opposed to mustard and terracotta.
- Was pleased that they propose to replace the 20 trees that have to be removed with about 60 trees, but believed that the proposed Palm trees are more consistent with the Riviera and are off base in the California Oak woodlands. She stated that she would not want to sit on an adjacent hill and look at a grove of Palm trees on that knoll.
- Appreciated that the majority of the property is going to be left as open space, but asked that the Landscape Plan consider using an animal friendly fence that can be traversed by the animals rather than the proposed 6' fence.

Chair Parsons:

- Liked the Palm trees and suggesting that they do grow native in the area.
- Thanked the architect for a beautiful design and a great piece of architecture that will fit into the hillside.
- Concerned about landscaping and colors; the colors from the provided photograph are better than the mustard color on the drawings.
- Appreciated that they are attempting to replace the trees.
- The issue of the deer needs to be addressed in the Landscape Plan.
- Could make all the findings but asked that the Landscape Plan come back with modifications especially addressing any sluffage on the front that will affect the neighborhood and the drainage.

MOTION: By Commissioner McKenzie, seconded by Commissioner Mayer, to adopt the Resolution approving a Single-Family Design Review for 2007 Bishop Road (Appl. No. 2008-0075), and conditions attached that call for a Landscape Plan to come back for final review, including a revised color scheme and consideration of the animal friendly fencing.

Ayes: McKenzie, Mayer, Mercer, Frautschi, Reed, Horton, Parsons
Noes: None

Motion passed 7/0

Chair Parsons announced that this item may be appealed to the City Council within 10 calendar days.

Discussion ensued regarding the issue of the sidewalk.

Chair Parsons referred to a similar project on San Juan Boulevard that had caused a stir several years earlier because the Commission proposed that a sidewalk be put on the opposite side of the street from the project since there was no sidewalk on the street. They thought Public Works' policy required a sidewalk but there is now no sidewalk on either side of the street in that location. He thought it would be a travesty to try to put a sidewalk on that side of the hill at the end of the street. He does not believe there is a safety issue at this site and no need for a sidewalk on both sides of the street. In his opinion, to have to do more grading does not make any sense, especially since it would require taking out some Redwoods that do not appear to be distressed, other than from the lack of rain. His recommendation to Council would be that there be no sidewalk on the side of the road in question.

Vice Chair Horton and Commissioner McKenzie agreed with Chair Parsons' comments.

SP DiDonato clarified for the Commission that the sidewalk discussion applies to all three lots.

Commissioner Reed did not believe the foot traffic warrants a sidewalk.

Commissioner Mayer also agreed but was concerned about the bad condition of the sidewalk on the other side of the street and wondered if there was some way they could tie repair of that sidewalk into this project. Chair Parsons suggested that perhaps the nexus could be that the Commission believes that there should be some sidewalk in the neighborhood on one side and perhaps the applicant could contribute to repairing the existing sidewalk. CA Zafferano said that he and staff could look at that before this item goes to Council.

Commissioner Frautschi stated that the reasons the Commission would not want to put a sidewalk on the side of the street under discussion are follows:

- The sidewalk on the other side of the street is sufficient, though it is in bad repair.
 - It would be hard for him to justify additional cut of 400 to 540 sq.ft. If they could not put the dirt on site, they would be looking at 50 truck loads going out of that neighborhood.
 - The cost to the applicant just for tree removal would be \$9,500 additional.
 - Could not support the possibility that the City would end up losing the wonderful stand of Redwood trees.
- His recommendation was that, though the San Juan Plan is well intended, it has to be looked at logically and using common sense, and he believed it would be common sense not to put in the sidewalk. However, he would support an in-lieu fee of some kind and suggested that a permanent schedule to be set up so that applicants could pay into a fund and Public Works could use the money on sidewalk repairs.

He would like to know the final decision and how the applicant is going to treat the area before the Landscape Plan comes back to the Commission for approval, i.e., if it is not going to be a sidewalk how they plan to stabilize, what is the planned material and additional trees, etc.

Commissioner Mercer concurred and thought they would be better off without the sidewalk if the applicant stabilizes the hillside with landscaping. She raised a safety concern because pedestrians are out of sight of oncoming westbound cars because it is on a ridge. She suggested the possibility of a "sidewalk ends here – please cross" sign and perhaps the addition of a crosswalk to encourage people to cross over to the other side of the street, or possibly "no parking" on that side of the street. Because it is a blind curve she was concerned about people walking on the street. She did not want to see a sidewalk there; it would just create more problems with drainage and slippage.

Vice Chair Horton cited that other reasons for not putting in a sidewalk would be that the hydrant, light pole and other utility boxes would have to be moved.

Resident Jim Rosen addressed the Commission, stating that the sidewalk on the other side of the street is at his property but that he did not know who should repair it. He said that he had planted trees from the Sierra there that raised the sidewalk and he would appreciate someone coming out and telling him what he needs to do. Chair Parsons responded that it is his understanding that the repairs would be Mr. Rosen's

responsibility. Mr. Rosen added that if a sidewalk is added people will park on it, as they do on other sidewalks in the neighborhood.

Resident Kristen Swanson-Turkey addressed the Commission just to thank them for being so efficient and thorough, and especially Commissioner Mercer for her concern about the environment.

6. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

6A. Motel 6 – 1101 Shoreway Road

Staff had discussed the master development as well as the security issues for the property with the owners. That meeting was followed by a meeting with the President of Motel 6 North America to discuss the on-going security issues, and he expects that this will be an evolving and improving issue.

6B. NDNU (Koret) Athletic Field

The Task Force meeting was scheduled for October 15th at 4:00 p.m. in the Lodge. It will be a reintroduction to get folks back in the game to talk about the field, the acoustic study and potential opportunities to work on the CUP.

Commissioner Reed asked if the people who had expressed a desire to play soccer on the field at the last City Council meeting would be invited to the discussions. CDD de Melo responded that those people will be made aware of future Task Force meetings, which are open to the public.

Chair Parsons noted that he had attended a joint meeting of the Belmont/Notre Dame coordinating working group where he took the opportunity to say that the University needed to put pressure on the Task Force to meet since something needed to be done.

6C. Charles Armstrong School – 1405 Solana Drive

The Police Department had conducted a meeting with all of the school principals where they discussed a whole range of issues related to school operations, and specifically related to signage at Charles Armstrong. He will let the Commission know as soon as a date for a meeting with the Charles Armstrong group is scheduled.

6D. Ralston/US-101 Landscape Project

The City Manager has made contact with Redwood City's City Manager, but he did not know when a meeting will occur.

6E. Peet's Center – 1250 El Camino Real

The Assistant Manager and the Manager of the store have been contacted and they have indicated that they are doing regular cigarette butt cleanup patrols and have committed to continue to monitor the area directly in front of the store and across from the store at the seating area and electrical box where folks hang out. Chair Parsons reminded that the plate on the sidewalk needs to be repaired.

6F. Emmett House

A subcommittee meeting has been set for October 22 to discuss the outstanding issues on the Design Review permit. Plans will be available to Chair Parsons and Vice Chair Horton at least a week in advance of the meeting.

Chair Parsons asked why no one is working on finishing the exterior by putting the porch up and cleaning up trash that is collecting by the creek. CDD de Melo responded that a lot of that will be determined by the subcommittee, and after bringing the entire package back to the Commission it will be sent out for bid for the balance of the exterior changes and the site grounds. Chair Parsons felt that they should at least clean up the site to make it less of a safety and "unattractive" nuisance.

6G. San Mateo Development – North Road/43rd Avenue

Associate Planner Walker has been trying to get information from the San Mateo Planning Department about encroachment permit information but has not been entirely successful. There will be a site visit through the

City of San Mateo. Chair Parsons stated that he would like to meet with the City of San Mateo and that he would go to their office to look at drawings and plans to see what their right of ways were and how access was to be provided to those stores from the rear.

6H. Mid-Peninsula Water District Property – 1510 Folger Road

The Water District is aware of the dead and dying shrubs and they have a contract with the landscape installer that calls for replacement of the plantings. It was indicated by a Commissioner that the shrubs have been replanted.

6I. Safeway – 1101 El Camino Real

CDD de Melo will be discussing dying trees with his contact at Safeway. Parking lot has been restriped and steam cleaned.

Other Reports:

Chapter 25, Tree Ordinance, will be discussed at the next Council Meeting.

Stakeholder meetings for the Housing Element were scheduled for the following Friday, largely with neighborhood associations, community groups, outside regional groups and developers. It will be the first of many meetings, some of which will be held at night, with the goal of having the document certified by the State of California by June 2009.

Chair Parsons asked that corrective action to be taken regarding a house at 1527 Ralston Avenue.

Vice Chair Horton asked when something will be done about the traffic situation on Ralston during rush hours. She described her situation of being trapped on Chula Vista trying to get onto Ralston and that people are backed up from Alameda to El Camino. The round-about under discussion will not solve the problem; people need to be allowed to get off of the side streets. She stated that it is time for Public Works to realize that there are people who live in Belmont who should be recognized – not just the people who are cutting through or dropping their kids off at school who do not here.

Commissioner Frautschi thanked the Park Boosters for their \$3000 donation to the Manor House landscaping project, which has been completed and looks nice.

CDD de Melo reminded that the grand re-opening of the Manor House would be held on the October 17 and 18.

9. CITY COUNCIL MEETING OF TUESDAY, OCTOBER 14, 2008

Liaison: Commissioner McKenzie

Alternate Liaison: Commissioner Mercer

9. ADJOURNMENT:

The meeting was adjourned at 8:47 p.m. to a Regular Planning Commission Meeting on Tuesday, October 21, 2008 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.

Please call (650) 595-7416 to schedule an appointment.